

OAKLAND POLICE DEPARTMENT

Surveillance Impact Use Report for Remote and Mobile Cameras

1. Information Describing Remote and Mobile Cameras and How They Work

OPD utilizes different types of cameras to capture single image and video data. Cameras that are strictly manually operated are not considered “surveillance technology” under the Oakland Surveillance Ordinance No. 13489 C.M.S. However, some RMCs allow for real-time remote access viewing of activity captured by the RMC lens. Single image and video RMCs may be manufactured with data transmitting technology or be outfitted by OPD with separate camera transmitters. Remote-control functions allow personnel to observe and/or record activity without being near potentially dangerous situations. Live-stream access allows personnel to observe situations in real-time and have the option to respond immediately when situations require immediate response. Mobile functionality allows RMCs to be moved and positioned as the need requires.

RMCs may have their own power supply or attached to a utility pole so as to utilize electricity for power. In either case, RMCs offer personnel critical situational and evidentiary information in a safe way.

RMCs store visual (and sometimes audio) data with either internal storage and/or by transmitting data in real-time to a remote OPD location.

2. Proposed Purpose

RMCs are used by OPD authorized personnel to gather evidence during undercover operations as well as during mass-events personnel are deployed to observe and promote public safety. Live stream image and video capture allow investigators to observe activity related to suspected criminal activity.

3. Locations Where, and Situations in which GLD System may be deployed or utilized.

A RMC may be used anywhere in the public right of way within the City of Oakland. Personnel may use hand-held cameras with live-viewing capabilities within in the public right of way within the City of Oakland; however, these cameras are generally only used for mass-person events to as to provide

situational awareness during events where public safety must be monitored (e.g. large protests or parades). RMCs may also request that a utility company install a RMC to a utility pole for powered live-remote viewing. OPD will only request to install a RMC to a utility pole with a court order allowing the utility company to install the camera.

4. Impact

RMCs offer evidentiary and situational awareness in numerous ways that challenge measurement. Mass events where thousands of people gather require that police personnel see where people are moving in real-time to better ensure that resources are provided as needed to ensure public safety.

OPD's Criminal Investigations Division (CID) and Intel Unit occasionally need to monitor street locations with remote live-view cameras to gather evidence related to suspects in criminal cases. RMCs can provide useful evidence about particular suspects relating to violent criminal activity.

OPD recognizes that any use of cameras to record activity which occurs in the public right of way raises privacy concerns. There is concern that the use of RMCs can be utilized to identify the activity, behavior, and/or travel patterns of random individuals. However, OPD does not randomly employ this technology throughout the City. Rather, RMCs installed on utility poles (after obtaining a court order) are used in specific situations to gather evidence about particular individuals connected to particular criminal investigations. The scope and use of such technology is narrow and limited. Therefore, OPD believes that the impact to public privacy is similarly narrow and limited.

5. Mitigations

All RMCs shall be housed and secured within IT Unit or Intel Unit lockers and not accessible with to the public or to personnel without permission to use such equipment. Regular camera data shall be uploaded onto secure computer with user and email password protection. For data that is captured and used as evidence, such data shall be turned in and stored as evidence. Otherwise, camera data will be destroyed after 30 days.

OPD will consider providing RMC data to other law enforcement (LE) agencies if and when such agencies make a written request for the RMC data that includes:

- a. The name of the requesting agency.
- b. The name of the individual making the request.
- c. The intended purpose of obtaining the information.

Such requests will be reviewed by the Bureau of Services Deputy Chief/

Deputy Director or designee and approved before the request is fulfilled. Approval requests shall be retained on file. Requests for RMC data by non-law enforcement or non-prosecutorial agencies will be processed as provided in Departmental General Order M-09.1, Public Records Access (Civil Code § 1798.90.55) and per any interagency agreements.

OPD will monitor its use of RMCs to ensure the accuracy of the information collected and compliance with all applicable laws, including laws providing for process, and time period system audits. The RMC System Coordinator shall provide the Chief of Police, Privacy Advisory Commission, and Public Safety Committee with an annual report that contains following for the previous 12-month period following a reporting structure agreed upon by the Privacy Advisory Commission.

6. Data Types and Sources

RMCs that record directly onto an internal memory device (e.g. secure digital (SD) card) operate similar to consumer digital video cameras. These types of cameras contain an internal storage device for storing audio and video data – an integrated element that can be connected to a computer for data downloads, or a removable device (e.g. SD card) which can be connected to a computer for digital downloads.

RMCs can be mounted to telescoping monopods to simply extend the range of a RMC. In these instances the pole merely extends the reach of the camera. RMCs mounted to monopods operate similarly to other RMCs in terms of recording and storage functions.

RMCs may be connected to a transmitter which allows for real-time transmission and remote live-stream viewing. Transmitters can use different formats (e.g. cellular 3G/4G LTE, WiFi, Ethernet, and Microwave). Transmitters can be connected to static single image digital cameras or video cameras. Transmitters allow the live-stream images or video to be viewed on a screen with the appropriate data connection and reception technology. The transmitters specifically transmit the data to a receiver where the data can then be viewed.

7. Data Security

All RMCs shall be housed and secured within IT Unit or Intel Unit lockers and not accessible with to the public or to personnel without permission to use such equipment. Regular camera data shall be uploaded onto secure computer with user and email password protection. For data that is captured and used as evidence, such data shall be turned in and stored as evidence. Otherwise, camera data will be destroyed after 30 days.

8. Costs

TBD

9. Third Party Dependence

TBD

10. Alternatives Considered

OPD officers and personnel rely primarily on traditional policing techniques to monitor large events and to gather evidence related to criminal investigations. For decades evidence gathering also includes the use of cameras, sometimes with live-stream transmitters, to record images, video and audio. Police personnel must maintain some level of situational awareness when hundreds and thousands of people gather on public streets and threats to public safety increase. Alternatives to live-stream cameras would include having more officers and personnel deployed during every mass-event. Such a deployment extends beyond OPD budget capacity.

OPD relies on remote view cameras for investigations as described above. There is no clear alternative to capturing actionable image, video and/or audio.

11. Track Record of Other Entities

TBD